

**THE ATTACHED  
AMENDMENTS ARE  
SENATE AMENDMENTS  
TO BILLS  
THAT WILL BE  
HEARD ON THE  
*MESSAGE*  
CALENDAR**

**Monday, April 17, 2017**

Senate State and Local Government Comm. Am. #1

Amendment No. 1



SA0218

Signature of Sponsor

FILED
Date <u>3/29/17</u>
Time <u>8:15am</u>
Clerk <u>MC</u>
Comm. Amdt. <u>1</u>

AMEND Senate Bill No. 464

House Bill No. 58\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-503, is amended by deleting subdivision (a)(7)(A) and substituting instead the following:

(i) A governmental entity shall not require a written request or assess a charge to view a public record unless otherwise required by law. Requests to view public records may be submitted in person or by telephone, fax, mail, or email if the governmental entity uses such means of communication to transact official business, or via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(ii) A governmental entity may require a request for copies of public records to be:

- (a) In writing;
- (b) On a form that complies with § 10-7-503(c); or
- (c) On a form developed by the office of open records counsel.

(iii) If a governmental entity does not require a request for copies to be in writing or on a form in accordance with subdivision (a)(7)(A)(ii), then a request for copies of public records may be submitted as provided in subdivision (a)(7)(A)(i).

(iv) If a governmental entity requires a request to be in writing under subdivision (a)(7)(A)(ii)(a), the records custodian of the governmental entity shall accept any of the following:

- (a) A request submitted in person or by mail;

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(b) An email request if the governmental entity uses email to transact official business; and

(c) A request submitted on an electronic form via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(v) If a governmental entity requires that a request for copies of public records be made on a form as provided in subdivision (a)(7)(A)(ii), then the governmental entity shall provide such form in the most expeditious means possible when the form is requested.

(vi) A governmental entity may require any person making a request to view or make a copy of a public record to present a government-issued photo identification, if the person possesses photo identification, that includes the person's address. If a person does not possess photo identification, the governmental entity may require other forms of identification acceptable to the governmental entity.

(vii) Notwithstanding any other law to the contrary:

(a) If a person makes two (2) or more requests to view a public record within a six-month period and, for each request, the person fails to view the public record within fifteen (15) business days of receiving notification that the record is available to view, the governmental entity is not required to comply with any public records request from the person for a period of six (6) months from the date of the second request to view the public record unless the governmental entity determines failure to view the public record was for good cause; and

(b) If a person makes a request for copies of a public record and, after copies have been produced, the person fails to pay to the governmental entity the cost for producing such copies, the governmental entity is not required to comply with any public records request from the person until the person pays for such copies; provided, that the person was provided with an estimated cost for

producing the copies in accordance with subdivision (a)(7)(C)(ii) prior to  
producing the copies and the person agreed to pay the estimated cost for such  
copies.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.



SA0252

Amendment No. 1

Signature of Sponsor

<b>FILED</b>	
Date	<u>3/30/17</u>
Time	<u>8:43</u>
Clerk	<u>CHD</u>
Comm. Amdt.	<u>1</u>

AMEND Senate Bill No. 136\*

House Bill No. 192

by deleting all the language after the enacting clause and by substituting the following:

SECTION 1. Tennessee Code Annotated, Section 68-102-137(b), is amended by deleting this subsection and substituting instead the following language:

(b) Fire drills requiring full evacuation shall be held at least once a month during the school year, with an additional fire drill to be conducted within the first thirty (30) days of operation in educational occupancies where such occupancies constitute the major occupancy of a building, and at least once every two (2) months in institutional occupancies where such occupancies constitute the major occupancy of a building. In educational occupancies, after four (4) fire drills have been conducted, no more than four (4) of the remaining fire drills may be substituted with in-class training. A record of all fire drills, including the time and date, shall be kept in the respective school or institutional offices, and shall be made available upon request to the commissioner, or the commissioner's deputies or assistants, for inspection and review.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

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SA0244

Amendment No. 1

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Signature of Sponsor

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FILED	
Date	3-29-17
Time	5:00pm
Clerk	ADW
Comm. Amdt.	

AMEND Senate Bill No. 983

House Bill No. 752\*

by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following new section:

**36-3-626.**

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to this part is authorized to, for seven (7) calendar days after that order of protection is granted, carry any handgun, as defined in § 39-17-1319, that the person legally owns or possesses so long as the person has in the person's possession at all times while carrying the handgun a copy of the order of protection.

(b) A person who does not apply for a temporary handgun carry permit under § 39-17-1365 within the time period set forth in § 39-17-1365(a) shall not be authorized to carry a handgun under subsection (a) once that time period has expired.

(c) A person who has applied for a temporary handgun carry permit under § 39-17-1365 may continue to carry a handgun after the time period in this subsection (a) has expired while that application is pending, so long as the person has in the person's possession at all times while carrying the handgun both a copy of the temporary handgun carry permit application receipt as provided by the department and a copy of the order of protection.

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SECTION 2. Tennessee Code Annotated, Section 39-17-1308(a), is amended by adding the following as a new subdivision:

( ) By a person authorized to carry a handgun pursuant to § 36-3-626 or § 39-17-1365;

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following new section:

**39-17-1365.**

(a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to Title 36, Chapter 3, Part 6, may apply for a temporary handgun carry permit from the department of safety within seven (7) calendar days after that order of protection is granted.

(b) To be eligible to receive a temporary handgun carry permit, the person must:

(1) Apply in person to the department of safety on a temporary handgun carry permit application developed by the department;

(2) Include a certified copy of the order of protection with the application;

(3) Provide proof of the person's identity and Tennessee residency by presenting:

(A) A driver license or photo identification issued by the state of Tennessee; or

(B) Other proof satisfactory to the department showing the person's identity and residency; and

(4) Meet the qualifications for the issuance of a handgun carry permit under § 39-17-1351(c).

(c) The department of safety shall conduct a name-based criminal history check in the same manner as set forth in § 39-17-1351(n)(3) upon receiving an application for a temporary handgun carry permit under this section.

(d) If an applicant meets all the requirements of this section, the department of safety shall issue a temporary handgun carry permit to the applicant that shall be valid for sixty (60) calendar days from the date of issuance.

(e) A person issued a temporary handgun carry permit under this section shall carry that permit and a copy of the protective order at all times when carrying a handgun pursuant to this section.

(f) A temporary handgun carry permit issued under this section shall only be valid in Tennessee and shall not be considered as satisfying the requirements of reciprocity with any other state firearm carry provisions.

(g) A temporary handgun carry permit issued under this section may be issued as a letter to the applicant and may be issued without the applicant's photograph.

(h) The issuance of a temporary handgun carry permit under this section does not relieve a person from complying with all requirements of § 39-17-1351 in order to be issued a handgun carry permit pursuant to that section.

(i) A temporary handgun carry permit issued under this section is subject to the provisions of §§ 39-17-1352 - 39-17-1359.

SECTION 4. For the purpose of initiating the process of implementing the requirements of this act, including any programming changes, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of implementing the requirements of this act, this act shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing the new requirements of this act or on January 1, 2018, whichever is earlier, the public welfare requiring it. The commissioner shall cause such notification to be published on the website of the department contemporaneously with delivery to the secretary of state and executive secretary of the Tennessee code commission.